

#3

PATENT

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By Thomas H. Majcher  
Thomas H. Majcher, Reg. No. 31,119

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re the application of	)	
	)	Examiner: Unassigned
William J. Boyle, et al.	)	
	)	Group Art Unit: 3739
Serial No. 10/027,915	)	
	)	Docket No. ACS-57406
Filed: December 21, 2001	)	
	)	
For: FLEXIBLE AND CONFORMABLE	)	
EMBOLIC FILTERING DEVICES	)	

February 8, 2002  
Los Angeles, California

SUBMISSION OF MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

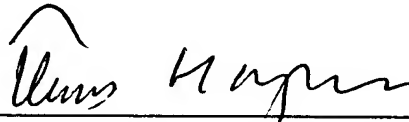
Enclosed is a copy of Notice to File Missing Parts of Nonprovisional Application dated January 28, 2002 (Confirmation No. 9956), for which a response

is due on or before March 28, 2002, along with a Declaration and Power of Attorney, in response thereto.

A check for \$1,842.00 is enclosed. No additional fees are believed to be due with this paper. The Commissioner is authorized, however, to charge any deficiencies in fees or credit any overpayments to our Deposit Account No. 06-2425.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP



Thomas H. Majcher, Registration No. 31,119

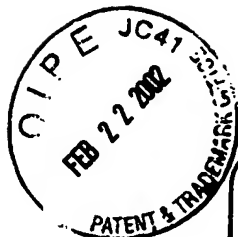
THM:mem

Enclosures:

Notice to File Missing Parts of Nonprovisional Application  
Declaration and Power of Attorney (3 originals, 4 pages each)  
Check for \$1,842.00  
Return Postcard

Howard Hughes Center  
6060 Center Drive, 10<sup>th</sup> Floor  
Los Angeles, California 90045  
Tel. No.: (310) 824-5555  
Fax No.: (310) 824-9696  
USPTO Customer Number 24201

Sector A

COPY OF PAPERS  
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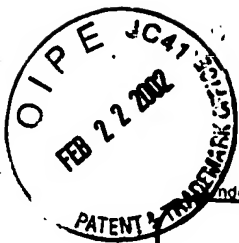
<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/027,915	
	Filing Date	December 21, 2001	
	First Named Inventor	William J. Boyle	
	Group Art Unit	3739	
	Examiner Name	Unassigned	
Total Number of Pages In This Submission		Attorney Docket Number	ACS- 57406

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below)</i>
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement PTO/SB/08A	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Enclosed: Notice to File Missing Parts of Nonprovisional Application; Declaration and Power of Attorney (3 originals, 4 pages each)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas H. Majcher, Registration No. 31,119
Signature	<i>Thomas H. Majcher</i>
Date	February 8, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 2-8-2002			
Typed or printed name	Thomas H. Majcher		
Signature	<i>Thomas H. Majcher</i>	Date	2-8-2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 1,842.00

## Complete if Known

Application Number	10/027,915
Filing Date	December 21, 2001
First Named Inventor	William J. Boyle
Examiner Name	Unassigned
Group Art Unit	3739
Attorney Docket No.	ACS-57406

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 06-2425  
Deposit Account Name: Fulwider Patton

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
		101	710	201 355 Utility filing fee	740
		106	320	206 160 Design filing fee	
		107	490	207 245 Plant filing fee	
		108	710	208 355 Reissue filing fee	
		114	150	214 75 Provisional filing fee	

SUBTOTAL (1) (\$) 740

### 2. EXTRA CLAIM FEES

Total Claims: 59  
Independent Claims: 6  
Multiple Dependent:   
Extra Claims: 39  
Fee from below: 18  
Fee Paid: 702  
3\*\* = 3 x 84 = 252

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
		103	18	203 9 Claims in excess of 20
		102	80	202 40 Independent claims in excess of 3
		104	270	204 135 Multiple dependent claim, if not paid
		109	80	209 40 ** Reissue independent claims over original patent
		110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 954

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
		105	130	205 65 Surcharge - late filing fee or oath	130
		127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
		139	130	139 130 Non-English specification	
		147	2,520	147 2,520 For filing a request for ex parte reexamination	
		112	920*	112 920* Requesting publication of SIR prior to Examiner action	
		113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
		115	110	215 55 Extension for reply within first month	
		116	390	216 195 Extension for reply within second month	
		117	890	217 445 Extension for reply within third month	
		118	1,390	218 695 Extension for reply within fourth month	
		128	1,890	228 945 Extension for reply within fifth month	
		119	310	219 155 Notice of Appeal	
		120	310	220 155 Filing a brief in support of an appeal	
		121	270	221 135 Request for oral hearing	
		138	1,510	138 1,510 Petition to institute a public use proceeding	
		140	110	240 55 Petition to revive - unavoidable	
		141	1,240	241 620 Petition to revive - unintentional	
		142	1,240	242 620 Utility issue fee (or reissue)	
		143	440	243 220 Design issue fee	
		144	600	244 300 Plant issue fee	
		122	130	122 130 Petitions to the Commissioner	
		123	50	123 50 Petitions related to provisional applications	
		126	240	126 240 Submission of Information Disclosure Stmt	
		581	40	581 40 Recording each patent assignment per property (times number of properties)	
		146	710	246 355 Filing a submission after final rejection (37 CFR § 1.129(a))	
		149	710	249 355 For each additional invention to be examined (37 CFR § 1.129(b))	
		179	710	279 355 Request for Continued Examination (RCE)	
		169	900	169 900 Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

Reduced by Basic Filing Fee Paid

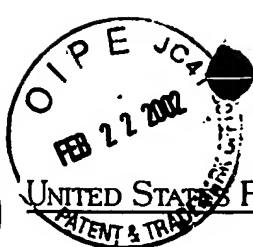
SUBTOTAL (3) (\$) 130

## SUBMITTED BY

Name (Print/Type)	Thomas H. Majcher	Registration No. (Attorney/Agent)	31,119	Complete (if applicable)	Telephone	310-824-5555
Signature				Date	2-8-2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,915	12/21/2001	William J. Boyle	ACS-57406

24201  
FULWIDER PATTON LEE & UTECHT, LLP  
HOWARD HUGHES CENTER  
6060 CENTER DRIVE  
TENTH FLOOR  
LOS ANGELES, CA 90045

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CONFIRMATION NO. 9956

FORMALITIES LETTER



\*OC000000007378151\*

Date Mailed: 01/28/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

12 23 2002 08:25:44 00000000 00000000

FILED UNDER 37 CFR 1.53(b)

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12 23 2002 08:25:44 00000000 00000000  
12 23 2002 08:25:44 00000000 00000000  
12 23 2002 08:25:44 00000000 00000000  
12 23 2002 08:25:44 00000000 00000000

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$954.
  - \$702 for 39 total claims over 20.
  - \$252 for 3 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1824.**

*A copy of this notice **MUST** be returned with the reply.*

*C. Vorachade*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE